

**FEDERAL LAW**  
**Public Law 96-**  
**272 of 1980**

The Adoption Assistance and Child Welfare Act, amends the Social Security Act 42 USC 601 et seq. and provides the federal basis for placement services to children. The intent of this law is to strengthen permanency planning for children nationwide. Under this law, the Department of Human Services (DHS) must document that:

- Reasonable efforts have been made to prevent removal of youths from their family.
- Efforts are continually being made to return the youth to the parental home.
- A permanency plan is developed for all youth under DHS supervision.

These assurances of care provisions are required to receive federal funding for services to wards under DHS supervision.

**STATE LAW**

**Public Act 150**  
**of 1974, (MCL**  
**803.301 et seq.)**

**State Ward - Delinquent - Act 150 - Legal Status 46:** A youth who has been **committed** to the State Agency under the Youth Rehabilitation Services Act. According to the following requirements:

- The ward is at least 12 years at the time of commitment by the juvenile court, and
- The offense for which the ward is committed occurred prior to the ward's 17th birth.

**Probate Code,  
Public Act 288  
of 1939, (MCL.  
712A.1 et seq.)**

The Probate Code contains the juvenile code and requires that each child coming within the jurisdiction of the court must receive care, guidance, and control in the best interest of the child.

The family court has exclusive jurisdiction over children under 17 years old found in the county except those 14 to 16 years old for whom the prosecutor elects to process a complaint and warrant with the circuit court.

Circuit courts have jurisdiction over children 14 to 16 years old who have committed "specified" offenses and have had complaints filed in their courts.

Both courts may extend the age of wardship (to 21) for juveniles who commit Class I-A, Class I-B and Class II offenses (See JJM 300 for specific offenses).

**Public Act 280  
of 1939, (MCL  
400.1 et seq.)**

The Social Welfare Act protects the welfare of the people of this state. This act created the Department of Human Services and describes the duties, services, and programs which may be provided to clients, including delinquents. MCL 400.55(h) provides for the department to investigate and provide services to court wards when the referral from the court is accepted.

**Public Act 73 of  
1988 (803.224 et  
seq.)**

The Juvenile Facilities Act mandates that if a juvenile is within the jurisdiction of the circuit court the department must prepare a written report to the court prior to the juvenile's sentencing. This report is to include a recommendation as to whether the juvenile is more likely to be rehabilitated by the services and facilities available in adult programs and procedures than in juvenile programs and procedures.

**Public Act 116  
of 1973, (MCL  
722.101 et seq.)**

The Child Care Organizations Act provides for protection of youth placed outside of their own homes through the establishment of standards of care for child placing agencies, child caring institutions and foster homes.

**Public Act 56 of  
2003 (MCL 3.691  
et seq.)**

The Interstate Compact for Juveniles Act provides the foundation for DHS supervision of out-of-state wards, obtaining out-of-state supervision for Michigan wards, and provisions for returning runaway youth across state lines.

**Public Act 114  
of 1984 (MCL  
3.711 et seq.)**

The Interstate Compact on the Placement of Children, governs the placement of youth across state lines in either family foster home care or child caring institutions.

**Public Act 220  
of 1935, (MCL  
400.203)**

The Michigan Children's Institute Act relays provisions for admission of children under 17 years of age to Michigan Children's Institute (MCI). Upon termination of parental rights of both parents, the court commits the children to the MCI. The superintendent of MCI is the child's legal guardian.